

Order

**Michigan Supreme Court
Lansing, Michigan**

October 13, 2005

Clifford W. Taylor,
Chief Justice

127971

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 127971
COA: 258873
Eaton CC: 03-020091-FC

TIMOTHY LAWRENCE SCHWEIGER,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the January 6, 2005 order of the Court of Appeals is considered, and it is **DENIED**, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., would remand this case to the Eaton Circuit Court for an evidentiary hearing.



s1006

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 13, 2005

Corbin R. Davis

Clerk